

AGN. NO. \_\_\_\_\_

MOTION BY SUPERVISOR ZEV YAROSLAVSKY

September 23, 2008

On May 15, 2008 the California Supreme Court issued a landmark decision affirming the right of same-sex couples to equal access to civil marriage. In its opinion, the Court stated, "These core substantive rights include, most fundamentally, the opportunity of an individual to establish — with the person with whom the individual has chosen to share his or her life — an officially recognized and protected family possessing mutual rights and responsibilities and entitled to the same respect and dignity accorded a union traditionally designated as marriage. As past cases establish, the substantive right of two adults who share a loving relationship to join together to establish an officially recognized family of their own — and, if the couple chooses, to raise children within that family — constitutes a vitally important attribute of the fundamental interest in liberty and personal autonomy that the California Constitution secures to all persons for the benefit of both the individual and society."

Throughout more than four decades, our nation has enacted laws, adopted policies and resolved court cases in a manner consistent with ending discrimination and extending civil rights, conferring equal protection under the law and guaranteeing due process to all citizens of the United States. The State of California has followed suit and

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in some cases commendably taken a lead in advancing the broad goals of full legal protection and equality of opportunity for all its residents.

Proposition 8 is a proposed constitutional amendment on the November 4, 2008 general election ballot aimed at overturning the State Supreme Court ruling on same-sex marriages. Its passage would enshrine discrimination and denial of civil rights into the State Constitution, potentially nullify the unions of thousands of newly-married same-sex couples and curtail the rights of millions of same-sex partners to marry in the future.

This measure represents a tragic and unnecessary reversal of decades of incremental progress in the struggle to achieve and secure full civil rights for all, and as such, it should be strongly opposed.

**I, THEREFORE, MOVE** that the Board of Supervisors express its firm opposition to Proposition 8 on the November 4, 2008 ballot, and urge all voters to reject and defeat this divisive, unnecessary and socially destructive measure.

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